

REMARKS

Claims 1-3, and 5-6 remain in this application. Claims 1 and 5 are amended. Claim 4 is canceled. No new matter is introduced.

Claims 1-6 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant intends to claim the subcombination of a hanger to be used with a metal rack. Applicant has amended Claim 1 to make it clear that the rack is not a positive element of the invention and delete portions of the claim relating to the metal rack. Since, as the Examiner indicated in the Office Action, the metal rack is not considered to be a positive element of the invention, the amendment will not affect the patentability of the present invention. No new matter is introduced.

Claims 1, 2 and 6 are rejected under 35 U.S.C. §102(b) as being anticipated by Remmers (5,531,416); and Claim 1 is rejected under 35 U.S.C. §103(a) as being unpatentable over Remmers.

However, the Examiner has indicated that Claims 4 and 5 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, and to include all of the limitations of the base claim and any intervening claims.

Applicant has amended Claim 1 to include all the limitations of the original Claims 1 and 4. Thus, Claim 1 should now be allowable. Claim 4 is canceled. Claims 2-3, and 6, which depend from Claim 1, should now also become allowable. A dependent claim should be considered allowable when its parent claim is allowed. In re McCarn, 101 U.S.P.Q. 411 (CCPA 1954).

Applicant has also amended Claim 5 to include all the limitations of the original Claims 1 and 5 (except the elements relating to the metal rack). Thus, Claim 5 should now be allowable.

In light of the foregoing, it is believed that the present invention is in condition for allowance. And Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the Examiner has any question, he or she is invited to call or fax Applicant's counsel at the telephone numbers below.

Respectfully Submitted,

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